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UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/823,789	03/30/2001	Samuel W. Linton	5315P004

CONFIRMATION NO. 7419

FORMALITIES LETTER



OC00000006140395

James H. Salter
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

Date Mailed: 06/04/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/01/2001 EABUBAKI 00000007 09823789

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130.00 0P



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PTO/SB/17(11/00)

Approved for use through 10/31/02. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known:

Application No. 09/823,789

Filing Date March 30, 2001

First Named Inventor Samuel W. Linton et al.

Group Art Unit 2857

Examiner Name Unassigned

Attorney Docket No. 5315P004

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number _____

Deposit Account Name _____

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, and charge any deficiencies to Deposit Account Number 02-2666, and credit any over payments to Deposit Account Number 02-2666

Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.131(b)

2. X Payment Enclosed
X Check
 Money Order
 Other

3. Applicant claims small entity.
 See CFR 1.27

FEE CALCULATION (fees effective 11/29/00)

1. **FILING FEE**

Large Entity

Small Entity

Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
101	710	201	355
106	320	206	160
107	490	207	245
108	710	208	355
114	150	214	75

Fee Description		Fee Paid
Utility application filing fee		_____
Design application filing fee		_____
Plant filing fee		_____
Reissue filing fee		_____
Provisional application filing fee		_____

SUBTOTAL (1) \$ 0

2. **CLAIMS**

Extra Fee from below

Fee Paid

Total Claims _____

- 20 = X _____ = _____

Independent Claims _____

- 3 = X _____ = _____

Multiple Dependent Claims _____

X _____ = _____

Large Entity

Small Entity

Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
103	18	203	9
102	80	202	40
104	270	204	135
109	80	209	40
110	18	210	9

Fee Description		Fee Paid
Claims in excess of twenty		_____
Independent claims in excess of 3		_____
Multiple dependent claim		_____
Reissue independent claims over original patent		_____
Reissue claims in excess of 20 and over original patent		_____

SUBTOTAL (2) \$ 0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	390	216	195	Extension for response within second month	
117	890	217	445	Extension for response within third month	
118	1,390	218	695	Extension for response within fourth month	
128	1,890	228	945	Extension for response within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,240	241	620	Petition to revive unintentionally abandoned application	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection	
149	710	249	355	For each additional invention to be examined	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal publication	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i)	
091	1,240	091	1,240	Acceptance of unintentionally delayed claim for priority	

Other:

***Reduced by Basic Filing Fee Paid**

SUBTOTAL (3) \$ 130.00

SUBMITTED BY:

Typed or Printed Name:

James H. Salter

Signature

Date

Reg. Number

35.668

Customer No.

008791

(complete if applicable)

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on July 26, 2001.

Claire Wallters

Name of Person Mailing Correspondence

Claire Waller

7/26/01
Date

O P E 5315P004

JUL 30 2001

In re Application of:

Samuel W. Linton et al.

Serial No.: 09/823,789

Filed: March 30, 2001

For: A METHOD AND APPARATUS FOR PREDICTING THE
 BEHAVIOR OF APPLICATIONS BY SIMULATING DATA
FLOW THROUGH A DATA COMMUNICATIONS NETWORK

BOX MISSING PARTS

Assistant Commissioner for Patents
 Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
 (FILING DATE GRANTED)**

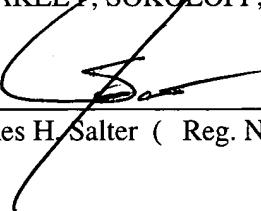
Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed
June 4, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);
- (3) a copy of the Notice to File Missing Parts of Application;

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,
 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 7/26, 2001


James H. Salter (Reg. No. 35,668)

Customer No. 008791
 12400 Wilshire Blvd.
 Seventh Floor
 Los Angeles, CA 90025-1026
 (408) 720-8598

FIRST CLASS CERTIFICATE OF MAILING
 (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on July 26, 2001.

Claire Wallters
 Name of Person Mailing Correspondence

Claire Wallters
 Signature

7/26/01
 Date